
**DCSS P3 PROGRAM
NON-CAMP ENFORCEMENT WORKGROUP
SEPTEMBER 7, 2000 MEETING
MEETING SUMMARY**

A. GENERAL

On Monday, September 7, 2000, the California Department of Child Support Services (DCSS) Policies, Procedures, and Practices (P3) Program Non-CAMP Enforcement Workgroup held its fourth official session in Sacramento. The following members attended:

<input checked="" type="checkbox"/>	Barnes, Rose	Medium County Rep./Analyst
<input checked="" type="checkbox"/>	Boyson, Phyllis	Small County Rep.
<input type="checkbox"/>	Fehringer, Collette	DCSS
<input type="checkbox"/>	Hill, Denise	FTB Rep
<input checked="" type="checkbox"/>	Hill, Lawrence	Large County Rep./Union rep.
<input checked="" type="checkbox"/>	Horstman, Herb	Judicial Council
<input checked="" type="checkbox"/>	Michael, Sheila	Medium County Rep.
<input type="checkbox"/>	Nitz, Michelle	CCSAS Rep.
<input checked="" type="checkbox"/>	Pankey, Pam	FTB Rep.
<input checked="" type="checkbox"/>	Rolon, Lucila	DCSS Rep.
<input checked="" type="checkbox"/>	Saunders, Barbara	OCSE Rep.
<input checked="" type="checkbox"/>	Silverman, Larry	County Leader
<input checked="" type="checkbox"/>	Snider, Melanie	ACES
<input checked="" type="checkbox"/>	Vogl, Richard	County Co-leader
<input checked="" type="checkbox"/>	Wynne, Tricia	Judicial Counsel Rep.

Attending *ex officio* were:

☒ Kathie Lalonde, Facilitator (SRA International)

This meeting summary highlights points covered, material discussed, decisions made, and follow-up tasks for forthcoming sessions. Comments and corrections should be addressed to Kathie LaLonde by 4:00 P.M. on Monday, September 11.

B. REVIEW OF LAST MEETING'S MINUTES

None.

C. TODAY'S TENTATIVE AGENDA AND MISCELLANEOUS ITEMS

1. Review draft report
2. Review/complete matrix

Short Report for Regional Forums

Kathie Lalonde reviewed the requirements for the Short Report that is due on Tuesday, September 12. Larry, Lucila, Rose, and Pam (if able) volunteered to meet on Monday, September 11, to produce the report.

The Short Reports will include each Workgroup's recommendations for; Policy, Standard Operating Procedure, Best Practices, California Legislation, and Federal Legislation. It will be in bullet format, with limited background explanations.

Draft Workgroup Recommendations

Each Workgroup co-leader has received a copy of the Draft Workgroup Recommendations template and Style Guide. Rich and Lucila agreed to lead the effort of incorporating the original Draft Enforcement Uniformity Report and the Short Report into the template.

Regional Forums

All Workgroup members are invited to the forums; however, DCSS will reimburse travel expenses only for those P3 workgroup members who have been asked to participate in a particular session.

Steering Committee Meeting

Rose and Lucila reported that their update to the Steering Committee went well. There were no major issues raised.

D. DISCUSSION ISSUES

Enforcement Matrix

Peggy Jensen sent a draft enforcement matrix concept that she would like for the group to use as a model to be completed and included in the final report. After much discussion, the Workgroup agreed to her suggestion and spent a large portion of the meeting refining, adding, and deleting items in Peggy's draft matrix. The group agreed that the short report subcommittee would finish up the matrix and use it as the basis for the Short Report, sharing the draft version with Workgroup members early next week.

The following acronyms are used in the matrix:

AOC	Administrative Office of the Court
CILC	Change in Legislation-California
CILF	Change in Legislation-Federal
CCSAS	Statewide System
CSOP	Current Standard Operating Procedure
DCSS	Department of Child Support Services
LCSA	Local Child Support Agency

PRISM	Interim Systems
NSOP	New Standard Operating Procedure

Release of licenses and passports

The Workgroup noted the clear lack of uniformity among counties regarding the conditions in which a license or passport, once revoked, was reinstated. After much discussion, the Workgroup made the following recommendation for new DCSS statewide policy:

Driver's License: An LCSA will release a driver's license if an obligor has accepted ALL of the following conditions, or if an exception is made as described below:

- Arrangements to pay current support have been made. (Employment must be verified.)
- One-time lump sum payment equaling 3 months' current support or 10% of arrears, whichever is greater.
- Ongoing arrears payment equaling an amount sufficient to cover the interest on arrears, plus a sum-certain amount to pay off the arrears incrementally.

Exceptions: Exceptions to this guideline may be applied based on LCSA determination of an obligor's ability/inability to meet this guideline. The reason must be clearly documented in case records and must be approved by a supervisor. Exceptions examples include:

- Disability
- Just out of prison
- No employment, in job training
- Current payments timely, but in arrears
- Needs license to find a job
- Needs license to keep job
- Can request more than guideline amount if obligor has demonstrated repeated unwillingness to pay in the past

Professional License: The Workgroup felt strongly that a large part of the lack of uniformity for professional license releases is due to the fact that these types of licenses are not revoked immediately, but only at time of the license renewal. License renewal requirements vary from 1-10 years. The group recommends that there be a change in California legislation to require immediate revocation of professional licenses, following the same legislative mandates for driver's license suspension. If this is enacted, the Workgroup recommends that the same driver's license release guidelines listed above be applied to professional licenses. As an interim guideline prior to any legislative change, the group recommends the following:

- Arrangements to pay current support have been made. (Employment must be verified.)
- If professional license renewal time is greater than annually, the obligor must agree to a one-time lump-sum payment of 5 months of current support or 15% of the total arrearage, whichever is greater

- Ongoing arrears payment equaling an amount sufficient to cover the interest on arrears, plus a sum-certain amount to pay off the arrears incrementally

Passport Denial: For the same reasons listed above, the Workgroup strongly recommends that California seek and/or support changes to federal and state law to decrease the current \$5,000 arrearage threshold, and to require immediate revocation of a passport rather than waiting for renewal or issuance. The Workgroup recommends the following:

- Arrangements to pay current support have been made. (Employment must be verified.)
- One-time payment to bring arrears below the \$5,000.00 threshold
- Ongoing arrears payment equaling an amount sufficient to cover the interest on arrears, plus a sum-certain amount to pay off the arrears incrementally

Additional exception example: If an obligor needs a passport for employment purposes, the LCSA should apply this guideline: One-time payment equaling 3 months' current support or 10% of arrears, whichever is greater.

Definition of an Unwilling Obligor

The Workgroup agreed to the following definition of UNWILLING: An obligor who has demonstrated, or it has been determined has, the ability to pay either because of assets, employment, lifestyle, etc., and has not paid.

Other

- **Car boot:** Melanie provided car boot information to the workgroup. Rich will incorporate it into the report.
- **Wanted poster:** Rose verified that a warrant is not legally required prior to placing someone on a wanted poster. The group agreed that it should be a best practice for LCSAs. Rich will incorporate this into the report.
- **Charge card fees:** Sheila informed the group of the information she received regarding the fees paid on charge cards. Currently, CA DCSS is a no-fee state (except for blood test fees), so a county that elects to have an obligor pay by charge card must pay the fee to the credit card company, which is 1% of the amount charged. Counties are even required to pick up the fees if the obligor or the employer bounces a check to our office. It was recommended that legislation be changed to allow LCSAs to charge the fee for the credit card payments, bounced checks, etc., back to the individual. Even if we decide to have the obligor pay via his/her checking account, we will end up picking up that fee also. This is based on authority: 45 CFR 302.33(d) allows states the option of charging fees to recover costs; however, FSD Letter No. 96-16 states that California has NOT elected to charge these fees.

E. CROSS-OVER ITEMS

None.

F. ACTION ITEMS

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Let Kathie Lalonde know that the meeting scheduled for 9/6 needs to be changed to 9/7 and a room will need to be scheduled for 9/7.	7/14/00	L.Silverman	07/17/00	07/17/00	Room changed
Let Kathie Lalonde know that Rich Vogl is co-leader.	7/14/00	L.Silverman	07/17/00	07/17/00	Done
Bring the CAMP Enforcement actions matrix.	7/14/00	L Ladoux	07/17/00	07/17/00	Done
Prepare questionnaire to circulate at the next directors meeting, include a list of remedies.	7/14/00	Workgroup	07/17/00	07/17/00	Done
Provide an overview of CAMP on 8/7	7/14/00	C. Larson	08/07/00 9/18/00		
Prepare a list of best practices from different jurisdictions for 8/7.	7/14/00	L.Silverman	08/07/00		Done
Define the driving philosophy for statewide child support enforcement	7/17/00	L.Silverman/K. Lalonde		07/17/00	Curt Childs and Winnie Young came to the 7/17 meeting. This is their guidance: Develop different strategies for types of delinquent obligors. (Willing but unable to pay, willingly not paying, etc.)
Describe/define the administrative enforcement remedies: obligor contact (dunning letter, phone call), writ of execution, UCC- Secretary of State lien, Workers Comp, SSA attachment, lis pendens, receiver (takeover trustee), EFT, refer for legal action, refer for modification.	7/17/00	P.Boyson, T.Wynne	07/21/00	08/07/00	Done
Refer to Fair Hearings: How to set aside a judgment of paternity when DNA testing determines the obligor is not the father after the fact.	7/17/00	L.Silverman/K. Lalonde	07/21/00	08/11/00	Referred to J. Hopkins to discuss with FH group.
See if we can get a representative of the private bar and an NCP advocacy group to join the Non-CAMP Enforcement Workgroup	7/17/00	L.Silverman/K. Lalonde	07/21/00	08/11/00	Peggy Jensen is continuing to work on this.
Review survey questions and prepare cover letter (once questions received from Workgroup)	7/17/00	L.Silverman/K. Lalonde	07/24/00	08/09/00	Survey reviewed. P3 Leadership team has requested that they be allowed to review all surveys prior to sending out.

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Review to see if there is a statute to force union halls to comply with wage assignments.	8/7/00	L.Silverman	08/21/00	08/21/00	Done
Check with the community to see if there is a better way to get the information out to the public regarding the use of the facilitator service and check into the revolving fund	8/7/00	H.Horstmann	08/21/00	08/21/00	Done
Do writeup on how to do the lien on the lawsuit	8/7/00	P.Boyson	08/21/00	08/21/00	Done
Tricia will write up Contempt information	8/7/00	T.Wynne	08/21/00	08/21/00	Done
Check with DOJ to see if locate services can be made available to locate the custodial parent.	8/7/00	L.Silverman	08/21/00	08/21/00	Done
Check on full IRS enforcement information	8/7/00	P.Pankey	08/21/00	08/21/00	Done
Check on the EFT and SDU requirements	8/7/00	B.Saunders	08/21/00	08/21/00	Done
Check on information on long-arm recommendation workshop	8/7/00	B.Saunders	08/21/00	08/21/00	Done
Check on the federal requirements and definition of financial institutions	8/7/00	B.Saunders	08/21/00	08/21/00	Done
Rich will incorporate Barbara's suggestions in the fourth draft	8/21/00	R.Vogl	09/07/00	09/07/00	Done
Herb will add codes to mandated actions where they are missing	8/21/00	H.Horstmann	09/07/00	09/07/00	Done
Michelle will start the report (matrix format) and will label the 4 th column "Recommendation"	8/21/00	M.Nitz	09/21/00	09/07/00	Done
Melanie will get information (boot on the car) for Rich on how this works on other states	8/21/00	M.Snider	09/07/00	09/07/00	Done
Rose will get information on whether or not a warrant needs to be issued before posting the names	8/21/00	R.Barnes	09/07/00	09/07/00	Done
Send update addresses to Rich	7/7/00	K. Lalonde			

G. RECOMMENDATION FOR THE STEERING COMMITTEE

The Workgroup would like to request a name change. They would like to drop "Non-CAMP" and call the group the "Enforcement Uniformity Workgroup."

H. ANCILLARY (PARKING LOT) ISSUES

The workgroup has identified a number of issues that need to be addressed but, because of time constraints, the group cannot address as part of the P3 Program. The final report will recommend that future workgroups examine the following issues:

1. Impact on families when certain enforcement actions are not taken
2. Staffing impacts due to changes in enforcement mandates
3. “Super” due process notice to obligors
4. Health insurance enforcement exceptions
5. Enforcement against employers
6. Seek Work
7. Increased use of judicial remedies impact on court resources etc.

I. ATTACHMENTS

Draft Matrix.

J. NEXT MEETING

The next meeting will be held on September 18, 2000.